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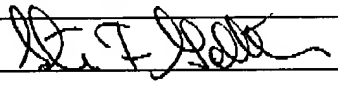
| Signature |  | Date | February 14, 2003 |

| PRELIMINARY AMENDMENT WITH REQUEST FOR CONTINUED EXAMINATION 37 C.F.R. §1.114 | | |
|---|---|---|
| | Attorney Docket | TGEN-001 |
| | Confirmation No. | 7852 |
| | First Named Inventor | Irena N. Merenkova |
| | Application Number | 09/471,703 |
| | Filing Date | December 23, 1999 |
| | Group Art Unit | 1634 |
| | Examiner Name | Jehanne Souaya |
| Address to: Assistant Commissioner for Patents Washington, D.C. 20231 | Title | "Analysis of Nucleotide Polymorphisms at a Site" |

Sir:

This amendment is filed with a Request for Continued Examination, and is responsive to the Final Office Action dated September 4, 2002 for which a three-month period for response was given making this response due on or before December 4, 2002. A Petition for a Three Month Extension of Time is filed herewith, making this amendment timely filed on or before March 4, 2003.

In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

Atty Dkt. No.:TGEN-001
USSN: 09/471,703

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**AMENDMENTS**

**IN THE CLAIMS**

Cancel claims 34-38 and 40-60 without prejudice.

Amend claim 69 as set out below.

Add new claims 70-88.

34. – 40. (Canceled).

42.-60. (Canceled)

69. **(Currently amended)** A method for determining the identity of **a** ~~the~~ polymorphic nucleotide in a target sequence having at least two known **variant nucleotides at a site** ~~variants~~, comprising**:**

performing a primer extension reaction **with the target sequence using an extension reaction mixture comprising:**

**a primer that specifically hybridizes to the target sequence such that the 3' end of the primer is one or more nucleotides 5' of a variant nucleotide at the polymorphic site, and**

**a plurality of** ~~in the absence of a~~ deoxyribonucleoside triphosphate**s** (dNTP**s**) or ribonucleoside triphosphate**s** (rNTP**s**)**, where the plurality of dNTPs or rNTPs provide for at least one nucleotide extension of the primer when hybridized to a target sequence having either of the two variant nucleotides at the polymorphic site,**

**wherein the mixture excludes a dNTP or rNTP** complementary to one of said **variant** ~~polymorphic~~ nucleotides **of the polymorphic site,** ~~but in the presence of at least one dNTP or rNTP complementary to the other polymorphic nucleotide,~~ wherein **the** ~~said at least one~~ dNTP**s** or rNTP**s** **in the mixture are** ~~complementary to the other polymorphic nucleotide is~~ not detectably labeled or modified, and wherein the extension reaction is performed in the absence of a dideoxynucleoside triphosphate (ddNTP); and

**analyzing** ~~detecting the~~ reaction products of said extension reaction.